

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ASAHARA et al.

Art Unit: 1645

Application No.: 10/772,271

Examiner: Brian J. GANGLE

Filing Date: February 6, 2004

Attorney Ref. No.: US-107

For: GENE INVOLVED IN
POLYSACCHARIDE
PRODUCTION AND
UTILIZATION THEREOF

Confirmation No.: 4145

RESPONSE TO REQUIREMENT FOR RESTRICTION

Mail Stop Non-fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated August 8, 2006, which set a 1-month shortened statutory period for response thereto, applicants hereby elect **Group IV, claims 7-8**, drawn to a recombinant methanol-utilizing bacterium. Also, regarding the election of sequence, applicants hereby elect the nucleotide sequence of SEQ ID NO: 2. Both of these elections are made with traverse as applicants assert that it would not pose an undue burden on the Examiner, nor constitute a non-coextensive search, to examiner all the claims together.

If Examiner Gangle believes that a telephone conference with the undersigned would expedite passage of the present patent application to issue, he is invited to call on the number below.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of

time are hereby petitioned under 37 C.F.R. § 1.136(a), and the undersigned hereby authorizes any fees for said petition be charged to our deposit account 50-2821.

Respectfully submitted,



Shelly Guest Cermak
Reg. No. 39,571

Date: September 7, 2006

PTO Customer Number: 000038108

Cermak & Kenealy, LLP
515 E. Braddock Road, Suite B
Alexandria, VA 22314
703.778.6608